IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re apple tion of: Howard Sands

109/782,184

Group No.: 1615 Examiner: Unassigned

Filed: February 12, 2001

For: Injectable pharmaceutical composition comprising microdroplets of a camptothecin

Commissioner for Patents Washington, D.C. 20231

COMPLETION OF FILING REQUIREMENTS—NONPROVISIONAL APPLICATION

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed March 26, 2001. A copy of the Notice to File Missing Parts of Application—Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

POWER OF ATTORNEY

III. Enclosed is an original Power of Attorney by Assignee to Exclusion of Inventor.

COMPLETION FEES

1.	Filing Fee: Original patent application (37 C.F.R. 1.16(a))	\$710.00
2.	Fee for Claims: Each claim in excess of 20 (37 C.F.R. 1.16(c))	\$90.00
3.	Fee for Claims: Each independent claim in excess of 3 (37 C.F.R. 1.16(b))	\$0.00
4.	Surcharge Fee: Late payment of filing fee (37 C.F.R. 1.16(e))	\$130.00
5.	Assignment (See "ASSIGNMENT COVER SHEETS – (2)	\$80.00
6.	Total completion fees	\$1,010.00

EXTENSION OF TIME

IV. A three-month extension of time fee is due.

Fee Due: \$890.00

REOUEST FOR CORRECTED FILING RECEIPT

V. Attached is a copy of the official filing receipt for which issuance of a corrected filing receipt is respectfully requested. There are errors with respect to the following, which are incorrectly entered.

Error in

Correct data

1. Applicant name and/or addresses

- Howard Sands, Wilmington, DE; Awadhesh Mishra, Quebec, Canada

At least one of the above corrections is due to applicant's error and the fee under 37 C.F.R. 1.19(h), of \$25.00 applies.

TOTAL FEE DUE

VI. The total fee due is: Completion fees \$1,010.00, Extension of Time Fees \$890.00, Corrected Filing Receipt Fees \$25.00

TOTAL FEE DUE \$1,925.00

PAYMENT OF FEES

VII. Charge Account No. 23-2415 (12636-898) in the amount of \$1,925.00.

Please charge Account No. 23-2415 (12636-898) for any fees that may be due by this paper.

08/24/2001 MBERHE

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03 FC:117 890.00 CH

Shirley Chen, Reg. No. 44,608

Wilson Sonsini Goodrich & Rosati 650 Page Mill Road Palo Alto, CA 94304 (650) 493-9300 Customer No. 021971

CERTIFICATE OF EXPRESS MAILING (37 C.F.R. 1.8)

"Express Mail" Mailing Label No. EL682477060US.

I hereby certify that this paper or fee is being deposited, with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Date: 8/20/01

Donna L. Hengst Donna L. Hengst

PTO/SB/01 (12-97) Approved for use through 9/30/00.OMB 0651-0032 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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ARATION FOR UTILITY OR **DESIGN** ATENT APPLICATION (37 CFR 1.63)

 \boxtimes

Declaration Submitted with Initial Filing

OR

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

Attorney Docket Number	12636-898
First Named Inventor	Sands
COMPLE	TE IF KNOWN
Application Number	09/782,184
Filing Date	February 12, 2001
Group Art Unit	1615
Examiner Name	Not Yet Assigned

As a below named invent	or, I hereby de	clare that:						
My residence, post office	address, and o	citizenship are as stated belo	w next to my na	me.				
		inventor (if only one name natter which is claimed and for						
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		(Title of the I	nvention)					
the specification of which is attached hereto OR								
was filed on (MM/	DD/YYYY)	02/12/01	as United	States Applica	ation Number or F	PCT International		
Application Number 09/782,184 and was amended on (MM/DD/YYYY) [(if applicable).								
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.								
• •		ation which is material to pate	entability as defi	ned in 37 CFF	R 1.56.			
certificate, or 365(a) of any America, listed below and h	y PCT internat nave also ident	nder 35 U.S.C. 119(a)-(d) o tional application which des tified below, by checking the ving a filing date before that	signated at leas box, any foreig	t one country n application	other than the for patent or inveority is claimed.	United States of ntor's certificate,		
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Prior Not Cla		Certified Co YES	py Attached? NO		
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Additional foreign applic	ation numbers	are listed on a supplementa	Il priority data sh	eet PTO/SB/0)28 attached here			
I hereby claim the benefit ur	nder 35 U.S.C.	119(h) of any United States	provisional app	lication(s) liste	ed below.			
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(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of the application is not designated in the prior United States or PCT international application in the manner provided by the first paragraph of 31 U.S.C. 112. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filling date of the prior application and the national or PCT international filling date of this application.

between the filing	date of	the prior applicat	on and th	e nation	al or PCT	nternationa	l filir	ng date	of this	applicati	on.		
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	τ				-								
Name	David	J. Weitz											
Address	Wilso	n Sonsini Goodri	ch & Rosa	ati									<u>·</u>
Address	650 P	age Mill Road				I							-
City	Palo /	Alto	1			State	C	A	ZIP	94304			
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Giver	n Name	(first and middl	e (if any)					Famil	y Name	or Sur	name	,	
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Inventor's Signat	ure	HA	10	9	_					Date	9	3/2	4/01
Residence: City		Wilmingtor	Stat	te C	Delaware	Country		U	s	Citize	nshi _l	p	us
Post Office Addre	ess	2417 Landon	Drive, Wil	lmingto	n, DE 198	10							
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City		Wilmingt n	Stat	te C	Delaware	ZIP		198	10	Coun	try		us
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Please Type a plus sign (+) inside this box



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DECLARATION

ADDITIONAL INVENTOR(S) **Supplemental Sheet** Page 1 of 1

Name of Additional	Joint Inventor,	if any:			A petition I	has	s been filed for	this unsig	ned	inventor
Given Name	(first and middle (i	f any)		Family Name or Surname						
	Awadhesh			Mishra						
Inventor's Signature								Date		
Residence: City	Quebec	State	Verd	lun	Country		CANADA	Citizensh	ip	India
Post Office Address	670 De Gaspe #2	10, Nuns is	land, Ve	erdun	Quebec H3	3E ⁻	1H8 CANADA			
Post Office Address										
City	Quebec	State	Verd	lun ZIP H3E IH8			Country		CANADA	
Name of Additional	Joint Inventor,	if any:		☐ A petition has been filed for this unsigned inventor						
Given Name	(first and middle (if	fany)		Family Name or Surname						
Inventor's Signature								Date		
City		State			Country			Citizensh	ip	
Post Office Address										
Post Office Address										
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Name of Additional	Joint Inventor,	if any:	A petition has been filed for this unsigned inventor							inventor
Given Name	(first and middle (if	any)					Family Name	or Surnam	ıe	
Inventor's Signature								Date		
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Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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		(3	7 C	FR	1.63)	Application Number	09/782,184				
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		9			required)	Examiner Name	Not Yet Assigned				

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As a below named Inve	ntor, I hereby de	eclare that:								
My residence, post offic	e address, and	citizenship are as stated belo	ow next to my na	ıme.						
I believe I am the origin names are listed below	al, first and sole of the subject n	e inventor (if only one name natter which is claimed and f	is listed below) or which a paten	or an original, it is sought on	, first and joint inv the invention ent	ventor (if plural itled:				
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		(Title of the li	nvention)	*****						
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I hereby state that I have amended by any amended		d understand the contents referred to above.	of the above id	lentified speci	ification, including	g the claims, as				
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(Page 1 of 2)

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Name	David	J. Weitz											
Address	Wilso	n Sonsini Goodri	ch & Ro	osati									
Address	650 F	age Mill Road											
City	Palo /	Alto					State	С	A ZIP 94304			-	
Country	U.S.			phone	 	-493-				Fax	650-493		
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Name of Sole	or Fir	st Inventor:			Ę	Аp	etition h	as be	en file	d for thi	is unsign	ed inve	entor
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		Howard								Sai	nds		
Inventor's Signat	ure										Date		
Residence: City		Wilmingtor	s	tate	Delaw	аге	Count	try		JS	Citizer	ship	us
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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DECLARATION

ADDITIONAL INVENTOR(S)
Suppl mental Sheet
Page 1 of 1

Name of Additional	Joint Inventor,	if any:			A petition I	nas	been filed for	this unsig	ned	inventor	
Given Name	(first and middle (i	f any)					Family Name	or Surnan	ne		
	Awadhesh						Mis	hra			
Inventor's Signature	مبه	سک	roha				Date	2,	1/24/01		
Residence: City	Quebec	State	Verd	lun	Country		CANADA	Citizens	nip	India	
Post Office Address	670 De Gaspe #2	10, Nuns Is	land, V	erdun	Quebec H3	3E 1	1H8 CANADA				
Post Office Address											
City	Quebec	State	Verd	lun	ZIP		H3E 1H8	Country		CANADA	
Name of Additional	Joint Inventor,	if any:		☐ A petition has been filed for this unsigned inventor							
Given Name	f any)	•	Family Name or Surname								
Inventor's Signature		· · · · · · · · · · · · · · · · · · ·						Date			
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Given Name	(first and middle (i	fany)	J				Family Name	or Surnan	ne		
Inventor's Signature								Date			
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Post Office Address											
City		State			ZIP			Country			

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M

Practitioner's Docket No.: 12, %6-898



0400

POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71 WITH REVOCATION OF PRIOR POWERS

signed ASSIGNEE of the entire interest in:

U.S. Patent No. ____
 U.S. application no. <u>09/782,184</u>, filed on <u>February 12, 2001</u>

hereby appoints the following attorneys of Wilson Sonsini Goodrich & Rosati:

Attorney Name	Reg. No.	Attorney Name	Reg. No.		
Paul Davis	29,294	David J. Weitz	38,362		
David J. Abraham	39,554	U.P. Peter Eng	39,666		
George A. Willman	41,378	Jonathan T. Manson	43,774		
Shirley Chen	44,608	Kenta Suzue	45,145		
John Gilmore	46,375		,		

and all Wilson Sonsini Goodrich & Rosati attorneys registered to practice before the United States Patent and Trademark Office, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

(complete one of the following)

\boxtimes	a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or
	the Assignment recorded on at reel, frames

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

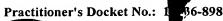
Direct all correspondence and telephone calls to:

Name	David J. Wei	tz								
Address	Wilson Sonsi	ini Goodrich and	d Rosati							
Address	650 Page Mill Road									
City	Palo Alto	State	CA	Zip	94304	Customer No.: 021971				
Country	USA	Telephone	(650) 493-9300	Fax	(650) 493-6811					

ASSIGNEE: RTP Pharma Inc.

Na<u>me:</u>

Date:





POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71 WITH REVOCATION OF PRIOR POWERS

gned ASSIGNEE of the entire interest in:

	U.S. Patent No.	_		
図	U.S. application no.	09/782,184, filed on	February 12, 200	0

hereby appoints the following attorneys of Wilson Sonsini Goodrich & Rosati:

Attorney Name	Reg. No.	Attorney Name	Reg. No.
Paul Davis	29,294	David J. Weitz	38,362
David J. Abraham	39,554	U.P. Peter Eng	39,666
George A. Willman	41,378	Jonathan T. Manson	43,774
Shirley Chen	44,608	Kenta Suzue	45,145
John Gilmore	46,375		,

and all Wilson Sonsini Goodrich & Rosati attorneys registered to practice before the United States Patent and Trademark Office, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

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(complete one of the following)

\boxtimes	a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or
	the Assignment recorded on at reel, frames
	.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hat, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all correspondence and telephone calls to:

Name	David J. Weitz							
Address	Wilson Sonsini Goodrich and Rosati							
Address	650 Page Mill Road							
City	Palo Alto	State	CA	Zip	94304	Customer No.: 021971		
Country	USA	Telephone	(650) 493-9300	Fax	(650) 493-6811			

ASSIGNEE: SuperGen, Inc.

Name:

ate.